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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/590,641 | 08/24/2006 | Kazuki Yamada | N002-5843 (PCT) | 1498 |

7590    05/27/2009

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| EXAMINER |
|---|
| ANDLER, MICHAEL S |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2876 | |

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *27 October 2008*.

2a)☐ This action is **FINAL**.          2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1,2 and 8-10* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2 and 8-10* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *24 August 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☒ All     b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date *18 September 2008, 27 October 2008*.

4) ☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

## DETAILED ACTION

1.      The examiner acknowledges and has entered the preliminary amendment dated

24 August 2006.  Claims **3-7 and 11-13** are cancelled by this amendment.

### *Claim Objections*

2.      Claims **1, 8 and 9** are objected to for the following informalities:

Regarding claims **1, 8 and 9**, there is no antecedent basis for the element of

"said predetermined processing instruction".  The examiner respectfully suggests that

the applicant delete "said predetermined processing instruction" and substitutes it with --

said processing instruction--.

Further regarding claims **1, 8 and 9**, there is no antecedent basis for the element

of "the amount of money".  The examiner respectfully suggests that the applicant delete

"the amount of money" and substitute it with --an amount of money--.

### *Claim Rejections - 35 USC § 102*

3.      The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

a) Claims **1-2**, drawn to an apparatus, method claim **8**, and claims **9-10** drawn to a

program product are rejected under 35 U.S.C. 102(b) as being anticipated by Levie et

al. (US 6,065,679).

Regarding claims **1, 8 and 9**, Levie et al. discloses a terminal unit for receiving a

processing instruction from a predetermined server unit and inputting it to a mobile unit

comprising money information storage means for storing money information which

represents the amount of money of a monetary value as electronic data, and money

information processing means for modifying the amount of money represented by said

stored money information by executing said predetermined processing instruction,

comprising:

unique information acquisition means for acquiring unique information from a

predetermined hardware which configures said terminal unit at predetermined time, the

unique information being unique to said hardware (See Col 63, lines 28-55); and

restriction means for restricting input processing of said processing instruction to

said mobile unit when said acquired unique information does not match with registered

unique information registered preliminarily as the unique information of said hardware

(See Col 63, lines 49-56 where it is understood that the download is not allowed if the

request comes from an unapproved source).

Regarding claims **2 and 10**, Levie et al. discloses a unique information storage

means for acquiring said unique information of said hardware and storing it to a

predetermined storing destination before initially inputting said processing instruction to

said mobile unit, wherein said restriction means uses said stored unique information as

said registered unique information (Col 63, lines 39-43).

## *Conclusion*

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Michael Andler whose telephone number is (571) 270-

5385. The examiner can normally be reached on Monday-Friday 7:30 AM to 3:30 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael Andler/                          /Michael G Lee/
Examiner, Art Unit 2876                   Supervisory Patent Examiner, Art Unit 2876